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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,865	04/12/2001	Francois Breynaert	60130-1052/00MRA0213	5202

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EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/833,865

Applicant(s)

BREYNAERT ET AL. *ME*

Examiner

Dang D Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "current supply source" shown in claims 1 and 10, lines 6 and 7, respectively must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-16 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification and

the drawings do not clearly describe or show "a current supply source" (battery or terminals?) fixed on the printed circuit board.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 10 are indefinite because it is not clear if the current supply source is a battery or terminals used to provide current to the motor mounted on the printed circuit board. The specification and the drawings show neither the battery nor terminals.

7. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the printed circuit having a current supply source for the motor fixed thereon. It is not known if the current supply source and the magnetic flux conduction member have any structural cooperative relationships.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1-5, 8-10 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al. (WO 98/27460) in view of Hulsmann et al. (U. S. Pat. No. 6,107,713).

Regarding claim 1, Weber et al. show a connector for an electric motor (30, Figures 1-4a), adapted so as to be fixed on said motor including a magnetic ring (10) which is a seat of a magnetic field related to operating parameters of said motor, wherein said connector comprises a magnetic flux conduction member (14, 16, 18) forming a flux concentrator interposed, when said connector is fixed on the motor, between said magnetic ring (10) and a Hall-effect sensor (22, 24) adapted so as to measure magnetic flux conducted by said magnetic flux conduction member.

Weber et al. do not show a printed circuit having a current supply source for the motor fixed thereon.

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Hulsmann et al. show a printed circuit (Figure 3, 22) having a current supply source (203) for the motor fixed thereon for the purpose of providing electric power to the motor.

Since Weber et al. and Hulsmann et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to fix a current supply source on a printed circuit as taught by Hulsmann et al. for the purpose discussed above.

Regarding claim 2, it is noted that Weber et al. also show said magnetic flux conduction member comprising at least one metal pin adapted so that a part of said pin, when said connector is fixed on said motor, lies in a vicinity of said magnetic ring (Figure 2).

Regarding claim 3, it is noted that Weber et al. also show said magnetic flux conduction member comprising two metal pins (16, 18) having free ends disposed symmetrically with respect to an axial plane of said magnetic ring (Figure 3).

Regarding claim 4, it is noted that Weber et al. also show said connector further comprising at least two electrical power contacts (Figure 1) linked to said supply source for said motor.

Regarding claim 5, it is noted that Weber et al. also show at least one of said electrical power contacts being disposed so as to constitute a part (power contacts

contacting circuit board on which elements 14, 16, 18 are mounted) of said magnetic flux conduction member.

Regarding claim 8, it is noted that Weber et al. also show said connector being secured to said printed circuit (20) on which said Hall-effect sensor (22, 24) is disposed.

Regarding claim 9, it is noted that Weber et al. also show said connector being adapted so as to be fixed in a detachable manner on said electric motor.

Regarding claim 10, it is noted that Weber et al. also show a geared motor for an automobile accessories comprising a rotor shaft (12) equipped with a magnetic ring (10), wherein said motor comprises a connector (Figure 1).

Regarding claim 14, it is noted that Weber et al. also show the two metal pins made of steel.

Regarding claim 15, it is noted that Weber et al. also show the two metal pins being parallel.

Regarding claim 16, it is noted that Weber et al. also show the electrical power contacts including an end and a metal pad being inserted into the end of each of the electrical power contacts which overlap the magnetic ring.

11. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al. in view of Hulsman et al. as applied to claim 5 above, and further in view of Blanchet (5,453,649).

Regarding claim 6, the connector of Weber et al. modified by Hulsman et al. includes all of the limitations of the claimed invention except for said power contact constituting a part of said magnetic flux conduction member being connected, when

said connector is fixed on said motor, to a metal pad secured to said motor and a part of which lies in a vicinity of said magnetic ring.

Blanchet shows said power contact (94) constituting a part of said magnetic flux conduction member being connected, when said connector (60) is fixed on said motor, to a wire (92) secured to said motor and a part of which lies in a vicinity of said magnetic ring for the purpose of providing electricity to the motor.

Since Weber et al., Hulsmann et al. and Blanchet are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to connect said power contact constituting a part of said magnetic flux conduction member, when said connector is fixed on said motor, to a metal pad secured to said motor and a part of which lies in a vicinity of said magnetic ring as taught by Blanchet for the purpose discussed above.

Regarding claim 7, it is noted that Weber et al. also show said power contact constituting a part of said magnet flux conduction member being made of steel.

12. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al. in view of Hulsmann et al. as applied to claim 10 above, and further in view of Wiesler (6,127,752).

Regarding claims 11-13, the motor of Weber et al. modified by Hulsmann et al. includes all of the limitations of the claimed invention except for said automobile accessory being a window, a seat or a sunroof.

Wiesler shows said automobile accessory being a window, a seat or a sunroof for the purpose of automation.

Since Weber et al., Hulsmann et al. and Wiesler are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make said automobile accessory as a window, a seat or a sunroof as taught by Wiesler for the purpose discussed above.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Information on How to Contact USPTO

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
October 4, 2002

